

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

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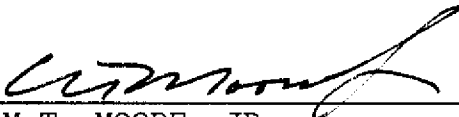
CLERK *B. West*
SO. DIST. OF GA.

HARRY LEE TELFAIR,)	
)	
Plaintiff,)	
)	
v.)	CASE NOS. CV407-187
)	CV410-061
UNITED STATES OF AMERICA,)	CR404-118
)	
Defendant.)	
)	

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 53), to which no objections have been filed. After a careful de novo review of the record, the report and recommendation is **ADOPTED** as the Court's opinion in this case. Accordingly, Plaintiff's 28 U.S.C. § 2255 Petition is **GRANTED**.¹ The United States Probation Office is **DIRECTED** to prepare an amended Presentence Investigation Report.²

SO ORDERED this 17th day of December 2010.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ Because this Court has granted Plaintiff's habeas petition, his Motion to Amend (Doc. 31), Motion to Reopen Case (Doc. 32), Motion to Remove Vacated Prior Convictions from Presentence Investigation Report (Doc. 33), Motion for Default Judgment (Doc. 47), and Motion to Expedite Hearing (Doc. 48) are **DISMISSED AS MOOT**. Plaintiff's Motion for Immediate Release is **DENIED**.

² Should Plaintiff desire appointed counsel, he must submit to this Court an appropriate request, along with proof that he is indigent.